

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

v.

MIZANUR RAHMAN,

Defendant.

Case No. 1:12-CR-438

MOTION TO DISMISS DEFENDANT’S ARREST WARRANT

The United States of America, through its attorneys, G. Zachary Terwilliger, United States Attorney, Kimberly Shartar and Uzo Asonye, Assistant United States Attorneys, respectfully, file this Motion to Dismiss the Defendant’s Arrest Warrant.

A grand jury in the Eastern District of Virginia returned an indictment against the defendant, Mizanur Rahman (“Defendant”), on or about October 4, 2012. The indictment charged Defendant with two counts of filing a false personal tax return, in violation of 26 U.S.C. § 7206(1). Dkt. 1. An arrest warrant was entered by the United States Marshal Service on or about October 4, 2012. Dkt. 4.

The government understands that Defendant has been in Bangladesh since sometime in 2012. While the government has taken some steps to apprehend Defendant, Bangladesh does not have an extradition agreement with the United States. Defendant has informed the government, through his current counsel, Gerald Kelly and Eli Noff, that he would like to return to the United States and enter a guilty plea in this case. Indeed, the government and Defendant have signed a plea agreement and a statement of facts for the case. Defendant has assured the Government that

once he arrives in the United States, he will enter his guilty plea as soon as it is possible to be scheduled with the Court.

Because of Defendant's written and verbal assurances of his intent to plead guilty, along with Defendant's underlying health issues, the government has agreed to file this motion to dismiss the arrest warrant so as to facilitate Defendant's return to the United States. Defendant is hoping to take a Monday April 13, 2020 flight, which may be one of the last flights for some time, from Bangladesh to the United States. As such, the government requests that the arrest warrant issued in this case be dismissed. Defendant's counsel has agreed to accept service of any summons issued in the case.

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record. Additionally, I have emailed Defendant's current counsel, Gerald Kelly and Eli Noff, who have not yet entered a notice of appearance in this case, a copy of this filing.

By: /s/
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